

Remarks

The Examiner has rejected claim 2 under 35 U.S.C. 102(a) as being anticipated by Bryant (U.S. Patent No. 5,040,264). The Examiner contends that Bryant teaches a porous substrate in the form of a card impregnated with an agent such as an essential oil. According to the Examiner the card is used with a vacuum cleaner and is capable of being cut into strips. See the abstract, column 2, lines 44-55 and column 3, lines 48-68.

The applicants respectfully disagree and contend that while Bryant teaches a vacuum cleaner bag of porous material that includes a substrate impregnated with anti-static and deodorizing agents and that the substrate may also be impregnated with disinfecting agents. The substrate is attached to the bag. The substrate of Bryant can not be cut into a plurality of strips. The card of claim 2 is cut into a plurality of strips. Each strip can then be bent at its center so that each strip does not stick to the side of the receptacle thereby increasing airflow across the surface area of the strips when the strips are inserted into the receptacle through the opening of the receptacle.

The Examiner has rejected claim 2 under 35 U.S.C. 102(a) as being anticipated by Bosses (U.S. Patent No. 5,342,420). The Examiner contends that Bosses teaches a porous bag of a vacuum cleaner and a releasing strip

that is disposed on the outer surface of the porous bag for releasing an active agent (such as a deodorant) into air passing through the vacuum in order to deodorize the vacuum cleaner. The releasing strip includes a porous substrate in the form of a card or strip impregnated with an active agent including essential oils. According to the Examiner the substrate is capable of being cut into strips. The releasing strip of Bosses is attached externally to the bag. See the abstract, column 3, lines 25-68.

The applicants respectfully disagree and contend that while Bosses teaches a dust and dirt collecting apparatus for a vacuum cleaner that includes a porous bag defining a dust and dirt collecting enclosure. A releasing strip is disposed on an outer surface of the bag for releasing an active agent, such as a deodorant, into air passing through the vacuum cleaner. Each strip of claim 2 is cut from a substrate and then bent at its center so that when each strip is inserted into a receptacle it does not stick to the side of the receptacle thereby increasing airflow across the surface area of the strips when the strips are inserted into the receptacle through an opening of the receptacle.

The Examiner has rejected claim 2 under 35 U.S.C. 102(a) as being anticipated by Colon (U.S. Patent No. 5,460,787). The Examiner contends that Colon teaches a card impregnated with an active agent such as a

fragrance for use in deodorizing areas by attachment to air moving means.

According to the Examiner the card is capable of being cut into strips and capable of being used with a vacuum cleaner. See the abstract and the figures.

The applicants respectfully disagree and contend that while Colon teaches an apparatus for providing a scent to a compartment that includes a reusable holder having a connecting mechanism and a scented card that may be inserted into the holder. The connecting mechanism can be a clip which is connectable to a louver of an air duct outlet register of a forced air system or to a fan guard of a utility fan. The card of Colon is not for use with a vacuum cleaner. Each strip is cut from a substrate (or card) and is then bent at its center so that each strip does not stick to the side of the receptacle thereby increasing airflow across the surface area of each of the strips when the strips are inserted into the receptacle through an opening in the receptacle.

The Examiner has rejected claim 2 under 35 U.S.C. 102(a) as being anticipated by Benko (US Patent Application No. 2003/0091466). The Examiner contends that Benko teaches a means of releasing a fragrance including a card impregnated with a fragrance agent. According to the

Examiner the card is capable of being cut into strips and of being used with a vacuum cleaner.

The applicants respectfully disagree and contend that while Benko teaches an apparatus for releasing a fragrance that includes a first scented layer that releases a first portion of fragrance and a second scented layer adjacent to the first layer that releases a second portion of fragrance. The card of claim 2 is cut into a plurality of strips. Each strip can then be bent at its center so that each strip does not stick to the side of the receptacle thereby increasing airflow across the surface area of the strips when the strips are inserted into the receptacle through the opening of the receptacle. The strips of Benko are not for use in a vacuum cleaner.

A package of strips according to claim 2 contains a scented and custom treated card and is for use with a vacuum cleaner having an intake nozzle, a receptacle and a blower that creates a flow from the nozzle to the receptacle so as to carry dirt from the nozzle into the receptacle. The pre-scented and custom scented card includes a card and oil containing a fragrance, an anti-bacterial agent and/or an odor eliminator. The card is formed from a material that is capable of absorbing a fragrance. The oil containing the fragrance, the anti-bacterial eliminator and/or the odor eliminator are disposed on the card. The card is adapted to be cut into a plurality of strips

that are then inserted into the receptacle through the opening of the bag or receptacle.

The Examiner has responded to applicants' argument that the instant claim limitations are not met by the prior art of record because the card of claim 2 is cut into strips and bent at its center prior to insertion into the vacuum, a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use then it meets the claim. According to the Examiner the scented cards of each of the prior art references applied are fully capable of being cut into strips and bent at the center so that the applicants' argued language has presented no structural difference.

The applicants now believe that their application is ready for allowance and request a speedy action to that end.

Dated: July 23, 2007

Respectfully submitted,


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